

# **EXHIBIT O**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN)  ECF Case
This document relates to:  <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN)  ECF Case

**DECLARATION OF JOHN ROGERS**

I, John Rogers, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. On September 11, 2001, I worked as a detective with the City of New York Police Department. I was present at Ground Zero assisting in the evacuation of the World Trade Center Towers when Tower 1 began to collapse following the 9-11 attacks.

4. During the course of the attack and my escape, I witnessed atrocities beyond the imagination of the average citizen and I was severely injured.

5. As Tower 1 began to collapse, I sought cover but the force of the exploding building threw me to the ground. A large amount of falling debris struck me on the back of the head, and

I was buried under the building rubble. My partner at the police department somehow found me in a semi-conscious state within the rubble and helped to extricate me from the debris. I inhaled a large amount of dust, debris, soot and ash while I was buried. EMS brought me to the emergency room at St. Luke's-Roosevelt Hospital Center, and I was told that I was unconscious when I arrived at the emergency room. At the time of my arrival at St. Luke's, I had sustained serious head, body, and back injuries during the 9-11 attacks and my escape as discussed below.

6. As a result of these terrorist attacks, I suffered the following specific injuries on September 11, 2001: injuries and lacerations to my left cheek and nose which resulted in a deviated septum and a pocket in my left sinus canal that traps fluid and becomes infected; severe cervical spine and lumbar spine injuries, which later resulted in the need for a C6-C7 discectomy and fusion surgery as well as multiple injections for the management of my lumbar pain; a large hematoma in my lumbar region that prevented me from receiving an additional back surgery that my doctors recommended; and bacterial prostatitis. Further, due to the large amounts of dust and debris that I inhaled on 9-11, my doctors diagnosed me with several conditions, including chronic sinus infections that have led to pneumonia, chronic bronchitis, GERD, abnormal blood cell counts, and polycythemia that led to my development of deep vein thrombosis and the need for long-term anticoagulant therapy.

7. Attached as Exhibit "B" to this Declaration is a true and correct copy of my select relevant medical records related to the various medical treatments that I have received following the September 11, 2001 terrorist attacks.

8. Because of my injuries and conditions caused by the 9-11 attacks, I was forced to retire from the New York Police Department on disability in 2004. Attached as Exhibit "C" is a

true and correct copy of my Social Security Administration Notice of Award, my NYPD Medical Board Accidental Disability Retirement Examination, and my NYPD Injury Report.

9. My injuries from 9-11 have also greatly restricted my ability to perform many activities independently. Accordingly, I had to modify my house four years ago to create an in-law apartment so that my parents could move in with me to help with all of the activities that I cannot do now on my own, including driving a car and cleaning around my house.


10. All of these 9-11 injuries and conditions have taken an extreme toll on my life. I have had to learn how to deal with chronic pain and the loss of many of my physical abilities. The devastating injuries to my cervical and lumbar spine have also dramatically altered my life. I went from being happily engaged to be married to having only dated two people in fourteen years. I have struggled to establish and maintain social relationships due to my ongoing injuries and illnesses. While I have tried to put the extreme events of 9-11 behind me, my injuries and worsening health conditions have made this process extremely difficult.

11. I suffered, and continue to suffer, emotional distress because of the above terrorist attacks. I suffered and continue to suffer from anxiety due to the traumatic events of these terrorist attacks. Exhibit B also contains select relevant records related to my past and present treatment for severe emotional distress/PTSD.

12. I previously pursued a claim through the September 11<sup>th</sup> Victim Compensation Fund (VCF I Claim No. 212-002159) specifically related to my injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

I declare UNDER PENALTY OF PERJURY that the foregoing is true and correct.

EXECUTED on this 28 day of January 2020.

  
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Signature of Declarant John R. Rogers

# **Exhibits Filed Under Seal**